



News Release from Congressman

ROB SIMMONS

SECOND DISTRICT, CONNECTICUT

WWW.HOUSE.GOV/SIMMONS

FOR IMMEDIATE RELEASE
WEDNESDAY, JULY 12, 2006

CONTACT: JOHN GOODWIN
202/225-2076

SIMMONS CALLS FOR "NEW KIND OF LAW FOR A NEW KIND OF WAR"

Lawmaker Backs National Security Court System To Deal With Enemy Combatants and Terrorists

WASHINGTON, DC – At a House Armed Services Committee hearing on standards of military commissions and tribunals, Rep. Rob Simmons, R-2nd District, today called for "a new kind of law for a new kind of war" and expressed his support for the formation of a new National Security Court system to deal with enemy combatants and terrorists.

In addressing the panel of witnesses at the hearing, Simmons said, "I served for over thirty years in the U.S. Army. I consider the UCMJ (Uniform Code of Military Justice) as something that was created for us as military personal and I can't see clearly the application to enemy combatants who are terrorists. These are folks who do not respect the rule of law. They take hostages and they kill non-combatants and innocent civilians."

Simmons continued, "So I guess my question goes to the issue what kind of model is going to work best? A colleague of mine... has written an op-ed for a National Security Court system that takes a little bit from the UCMJ and a little bit from U.S. military tribunals. And what he refers to is a 'new kind of law for a new kind of war.'"

"We have our traditional criminal courts, we have our tribunals and commissions," Simmons concluded. "We have our UCMJ, but it occurs to me that we are in a new kind of war. We are trying to maintain our respect for our values in dealing with people involved in this new kind of war and perhaps it's incumbent upon the Justice Department, Defense Department, and this Congress to shape an altogether different model for delivering justice in this framework and I'd be interested in your comments. Gentleman, do we need a new kind of law for a new kind of war?"

Simmons "new kind of law" is a legal proposal advocated by Law Professor Glenn Sulmasy that establishes a National Security Court. The Court would be a hybrid of the military commissions and our own federal trial system. Creation of a special court is not unprecedented as Congress created the Foreign Intelligence Surveillance Court in 1978.

Enemy combatants would be afforded certain rights, including right to counsel and be detained and tried on military bases within the United States. The law would allow the death penalty. The hearings would be closed with the exception of observers from Human Rights Organizations (for example, Amnesty International, the International Red Cross and the U.N. Human Rights Watch). The U.S. Department of Justice would provide prosecutors and administer over the program.

####